

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

James E. Evans	*
	*
Plaintiff,	*
	*
vs.	*
	2:07-cv-1118-WKW
	*
City of Millbrook	*
	*
Defendant.	*

REPORT OF PARTIES' PLANNING MEETING

I. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on January 28, 2008, and was attended by:

Kenneth D. Haynes and Priscilla Black Duncan for James Evans

Rick Howard and April McKay for City of Millbrook, Alabama

II. Pre-Discovery Disclosures

The parties will exchange initial disclosures required by Fed. R. Civ. P. 26(a)(1) within twenty-one days after the scheduling order has been entered.

III. Discovery Plan

The parties jointly propose to the Court the following discovery plan:

- a. All discovery commenced in time to be completed by December 31, 2008;
- b. Maximum of 30 interrogatories by each party to the other party; responses due 30 days after service.
- c. Maximum of 30 requests for admissions by each party to the other party; responses due 30 days after service;

- d. Maximum of 10 depositions by Plaintiff and 10 depositions by Defendants.
- e. Each deposition will not exceed four hours unless agreed to by the parties.
- f. Reports from retained experts under Rule 26(a)(2) due:

From Plaintiff : July 1, 2008

From Defendants: August 15, 2008

IV. Other Items

- a. Parties do not request a conference with the Court before entry of the scheduling order;
- b. The parties request a pretrial conference in February 2009.
- c. Plaintiffs will be allowed until May 1, 2008 to join additional parties and until May 1, 2008, to amend pleadings.
- d. Defendants shall be allowed until June 15, 2008, to join additional parties and until June 15, 2008, to amend pleadings.
- e. All potentially dispositive motions should be filed by December 1, 2008.
- f. Final list of witness and exhibits under Rule 26(a)(3) should be due:

Plaintiff's exhibit list - February 2, 2009

Plaintiff's witness list - February 2, 2009

Defendant's exhibit list - February 2, 2009

Defendant's witness list - February 2, 2009

- g. Parties should have ten days after service of final list of witnesses and exhibits to list an objection under Rule 26(a)(3).
- h. The case should be ready for trial by March, 2009, and is expected to take approximately 3 days.

i. In a conference regarding the Report of the Parties Planning Meeting, the parties addressed the discovery of electronically stored information as reference in Rule 26 (f) of the Federal Rules of Civil Procedure. At the present time, the parties do not anticipate issues involving electronic discovery. However, if electronic discovery issues arise, the parties will address this issue at a future date and reach an agreement on the electronic discovery issue.

Dated: January 28, 2008

/s Rick A. Howard
Alex L. Holtsford, Jr. (HOL048)
Rick A. Howard (HOW045)
April W. McKay (WIL304)
Attorneys for Defendant

OF COUNSEL:

Nix Holtsford Gilliland
Higgins & Hitson, P.C.
Post Office Box 4128
Montgomery, Alabama 36104
334-215-8585

/s Kenneth D. Haynes
Kenneth D. Haynes
Attorney for Plaintiff

HAYNES & HAYNES, P.C.
1600 Woodmere Drive
Birmingham, Alabama 35226

/s Priscilla Black Duncan
Priscilla Black Duncan
Attorney for Plaintiff

P.B. DUNCAN & ASSOCIATES
472 South Lawrence Street, Suite 204
Montgomery, Alabama 36104